

Kevin Osborne, State Bar No. 261367
Julie Erickson, State Bar No. 293111
Elizabeth Kramer, State Bar No. 293129
Erickson Kramer Osborne LLP
182 Howard Street
San Francisco, CA 94105
Phone: 415-635-0631
Fax: 415-599-8088
Email: julie@eko.law

Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
SACRAMENTO DIVISION

KATHY BOW, ROBERT PAPP, AND
SUSAIN WEISINGER,

Plaintiffs,

vs.

CEBRIDGE TELECOM CA, LLC (D/B/A
SUDDENLINK COMMUNICATIONS);
ALTICE USA, INC.; CEQUEL
COMMUNICATIONS, LLC; CEBRIDGE
ACQUISITION, L.P.; CEQUEL III
COMMUNICATIONS I, LLC; AND DOES 1
THROUGH 10, INCLUSIVE,

Defendants.

Case No. 2:21-cv-00444-TLN-JDP

**STIPULATION AND ORDER
EXTENDING BRIEFING DEADLINES
AND CONTINUING HEARING ON
DEFENDANTS' MOTION TO COMPEL
ARBITRATION AND STAY
LITIGATION**

[L.R. 144; FED. R. CIV. P. 6]

Assigned to the Hon. Troy Nunley

**STIPULATION FOR EXTENSION OF BRIEFING DEADLINES AND CONTINUANCE
OF HEARING ON DEFENDANTS' MOTION TO COMPEL ARBITRATION AND STAY
LITIGATION**

Plaintiffs and Defendants in the above-captioned matter, through their respective counsel of record, hereby stipulate as follows:

WHEREAS, Defendants filed a Motion to Compel Arbitration and Stay Litigation on April 15, 2021 (Dkt. No. 11) ("Motion to Compel"), which is currently scheduled to be heard on May 13, 2021;

WHEREAS, Plaintiffs' response to the Motion to Compel is currently due on Thursday, April 29, 2021, with Defendants' reply to be filed no later than May 6, 2021;

WHEREAS, Plaintiffs have indicated that they will seek certain limited arbitration-related discovery in order to adequately oppose Defendants' Motion to Compel;

WHEREAS, Defendants believe that Plaintiffs' request for arbitration-related discovery is premature but are prepared to meet and confer with Plaintiffs regarding that request and any potential discovery that Defendants would seek from Plaintiffs if necessary;

WHEREAS, the parties are in the process of meeting and conferring as to the propriety and specifics of Plaintiffs' request for arbitration-related discovery;

WHEREAS, Plaintiffs have requested and Defendants have agreed to extend Plaintiffs' deadline to file their opposition to Defendants' Motion to Compel by 14 days to allow the parties time to attempt to informally resolve the issue of Plaintiffs' requested arbitration-related discovery;

WHEREAS, the parties have agreed to continue Defendants' deadline to file their reply in support of the Motion to Compel by 28 days and continue the hearing date accordingly;

WHEREAS, this stipulation and request for extension is being submitted to the Court as soon as practicable after it became apparent that the extension would be necessary;

WHEREAS, good cause exists for the requested extension, as counsel are working diligently to meet and confer to resolve the issue of arbitration-related discovery without the need for judicial intervention;

1 **WHEREAS**, no other extension of time has been sought for the opposition and reply
2 briefs regarding Defendants' Motion to Compel;

3 **WHEREAS**, only one extension has been previously sought in this action in the form of
4 Defendants' unopposed initial *ex parte* request for extension of time to respond to the complaint
5 (Dkt. 5), which the court granted, providing an additional 28 days to respond to the complaint
6 (Dkt. 6);

7 **NOW, THEREFORE**, it is hereby stipulated and agreed, pursuant to Local Rule 144(a),
8 as follows:

- 9 1. Plaintiffs' deadline to file their opposition to the Motion to Compel shall be extended 14
10 days, to and including May 13, 2021;
- 11 2. Defendants' deadline to file their reply to the Motion to Compel shall be extended 28
12 days, to and including June 3, 2021;
- 13 3. The hearing on the Motion to Compel shall be continued to June 10, 2021.

14 **IT IS SO STIPULATED.**

15 Dated: April 23, 2021

ERICKSON KRAMER OSBORNE LLP
KEVIN OSBORNE
JULIE ERICKSON
ELIZABETH KRAMER

18 By: /s/ Julie Erickson
19 Julie Erickson

20 *Attorneys for Plaintiffs*

MAYER BROWN LLP
ARCHIS A. PARASHARAMI

23 By: /s/ Archis Parasharami
24 Archis A. Parasharami (as authorized on
25 April 23, 2021)

26 *Attorneys for Defendants*

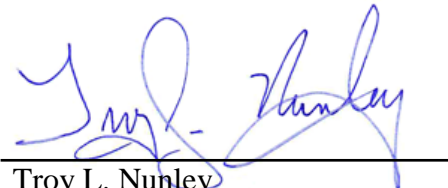
ORDER

PURSUANT TO THE STIPULATION BETWEEN THE PARTIES,

1. Plaintiffs' deadline to file their opposition to Defendants' Motion to Compel Arbitration and Stay Litigation ("Motion to Compel") shall be extended 14 days, to and including May 13, 2021;
2. Defendants' deadline to file their reply to the Motion to Compel shall be extended 28 days, to and including June 3, 2021;
3. The hearing on the Motion to Compel shall be continued to June 10, 2021.

IT IS SO ORDERED.

Dated: April 23, 2021


Troy L. Nunley
United States District Judge